

ESR Ban the Box Resource Guide for States, Counties & Cities



Last Updated in January 2018 by [Employment Screening Resources® \(ESR\)](#)

As of January 2018, more than 150 cities and counties as well as 30 states have adopted Ban the Box legislation. States with Ban the Box laws include Arizona, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Virginia, and Wisconsin. Ten states – California, Connecticut, Hawaii, Illinois, Massachusetts, Minnesota, New Jersey, Oregon, Rhode Island, and Vermont – and the District of Columbia (D.C.) also removed the criminal history question from job applications for private employers.

List of States, Counties & Cities with Ban the Box Laws

- **ALABAMA:**
 - BIRMINGHAM, AL
- **ALASKA:** NONE
- **ARIZONA:** STATE LAW [EXECUTIVE ORDER 2017-07 \(2017\)](#) APPLIES TO PUBLIC EMPLOYMENT
 - GLENDALE, AZ / PHOENIX, AZ / PIMA COUNTY, AZ / TEMPE, AZ / TUCSON, AZ
- **ARKANSAS:**
 - PULASKI COUNTY, AR
- **CALIFORNIA:** STATE LAWS [ASSEMBLY BILL 218 \(2013\)](#) & [ASSEMBLY BILL 1008 \(2017\)](#) APPLY TO PUBLIC & PRIVATE EMPLOYMENT
 - ALAMEDA COUNTY, CA / BERKELEY, CA / CARSON, CA / COMPTON, CA / EAST PALO ALTO, CA / LOS ANGELES, CA / OAKLAND, CA / PASADENA, CA / RICHMOND, CA / SACRAMENTO, CA / SAN FRANCISCO, CA / SANTA CLARA COUNTY, CA
- **COLORADO:** STATE LAW [HOUSE BILL 1263 \(2012\)](#) APPLIES TO STATE EMPLOYMENT AND LICENSING
 - DENVER, CO
- **CONNECTICUT:** STATE LAW [HOUSE BILL 5237 \(2016\)](#) APPLIES TO PUBLIC AND PRIVATE EMPLOYMENT



- BRIDGEPORT, CT / HARTFORD, CT / NEW HAVEN, CT / NORWICH, CT
- **DELAWARE:** STATE LAW [HOUSE BILL 167 \(2014\)](#) APPLIES TO PUBLIC EMPLOYMENT
 - NEW CASTLE COUNTY, DE / WILMINGTON, DE
- **DISTRICT OF COLUMBIA:** (WASHINGTON D.C.) [FAIR CRIMINAL RECORD SCREENING AMENDMENT ACT OF 2014](#) APPLIES TO DISTRICT AND PRIVATE EMPLOYERS
- **FLORIDA:**
 - BROWARD COUNTY, FL / CLEARWATER, FL / DAYTONA BEACH, FL / FORT MYERS, FL / GAINESVILLE, FL / JACKSONVILLE, FL / MIAMI-DADE COUNTY, FL / ORLANDO, FL / POMPANO BEACH, FL / ST. PETERSBURG, FL / TAMPA, FL / TALLAHASSEE, FL / SARASOTA, FL
- **GEORGIA:** STATE POLICY [EXECUTIVE ORDER \(2015\)](#) APPLIES TO STATE EMPLOYMENT
 - ALBANY, GA / ATLANTA, GA / AUGUSTA, GA / CHEROKEE COUNTY, GA / COLUMBUS, GA / FULTON COUNTY, GA / MACON-BIBB COUNTY, GA
- **HAWAII:** STATE LAW [HOUSE BILL 3528 \(1998\)](#) APPLIES TO PUBLIC AND PRIVATE EMPLOYMENT
- **IDAHO:** NONE
- **ILLINOIS:** STATE LAW [HOUSE BILL 5701 \(2014\)](#) APPLIES TO PRIVATE EMPLOYERS
 - CHICAGO, IL
- **INDIANA:** STATE POLICY [EXECUTIVE ORDER \(2017\)](#) APPLIES TO STATE EMPLOYMENT IN THE EXECUTIVE BRANCH
 - INDIANAPOLIS, IN
- **IOWA:** NONE
- **KANSAS:**
 - JOHNSON COUNTY, KS / KANSAS CITY, KS / TOPEKA, KS
- **KENTUCKY:** STATE POLICY [EXECUTIVE ORDER \(2017\)](#) APPLIES TO STATE EMPLOYMENT IN EXECUTIVE BRANCH
 - LOUISVILLE, KY
- **LOUISIANA:** STATE LAW [HOUSE BILL 266 \(2016\)](#) APPLIES TO SOME STATE EMPLOYMENT
 - BATON ROUGE, LA / NEW ORLEANS, LA
- **MAINE:** NONE
- **MARYLAND:** STATE LAW [SENATE BILL 4 \(2013\)](#) APPLIES TO STATE EMPLOYMENT
 - BALTIMORE, MD / MONTGOMERY COUNTY, MD / PRINCE GEORGE'S COUNTY, MD
- **MASSACHUSETTS:** STATE LAW [SENATE BILL 2583 \(2010\)](#) APPLIES TO PUBLIC AND PRIVATE EMPLOYMENT
 - BOSTON, MA / CAMBRIDGE, MA / WORCESTER, MA
- **MICHIGAN:**
 - ANN ARBOR, MI / DETROIT, MI / EAST LANSING, MI / GENESEE COUNTY, MI / KALAMAZOO, MI / MUSKEGON COUNTY, MI
- **MINNESOTA:** STATE LAW [SENATE BILL 523 \(2009, 2013\)](#) APPLIES TO PUBLIC AND PRIVATE EMPLOYMENT
 - MINNEAPOLIS, MN / ST. PAUL, MN
- **MISSISSIPPI:** NONE
- **MISSOURI:** STATE POLICY [EXECUTIVE ORDER 16-04 \(2016\)](#) APPLIES TO PUBLIC EMPLOYMENT
 - COLUMBIA, MO / JACKSON COUNTY, MO / KANSAS CITY, MO / ST. LOUIS, MO
- **MONTANA:** NONE
- **NEBRASKA:** STATE LAW [LEGISLATIVE BILL 907 \(2014\)](#) APPLIES TO PUBLIC EMPLOYMENT
- **NEVADA:** STATE LAW [ASSEMBLY BILL 384 \(2017\)](#) APPLIES TO PUBLIC EMPLOYMENT



- NORTH LAS VEGAS, NV
- **NEW HAMPSHIRE:** NONE
- **NEW JERSEY:** STATE LAWS [ASSEMBLY HOUSE BILL 1999](#) & [SENATE BILL 1484 \(2014\)](#) APPLY TO PUBLIC AND PRIVATE EMPLOYMENT
 - ATLANTIC CITY, NJ / NEWARK, NJ
- **NEW MEXICO:** STATE LAW [SENATE BILL 254 \(2010\)](#) APPLIES TO PUBLIC EMPLOYMENT
- **NEW YORK:** STATE POLICY [EXECUTIVE ACTION TO REDUCE BARRIERS FOR NEW YORKERS WITH CRIMINAL CONVICTIONS \(2015\)](#) APPLIES TO STATE EMPLOYMENT
 - ALBANY COUNTY, NY / BUFFALO, NY / DUTCHESS COUNTY, NY / ITHACA, NY / KINGSTON, NY / NEWBURGH, NY / NEW YORK, NY / ROCHESTER, NY / SYRACUSE, NY / TOMPKINS COUNTY, NY / ULSTER COUNTY, NY / WOODSTOCK, NY / YONKERS, NY
- **NORTH CAROLINA:**
 - ASHEVILLE, NC / BUNCOMBE COUNTY, NC / CARRBORO, NC / CHARLOTTE, NC / CUMBERLAND COUNTY, NC / DURHAM CITY, NC / DURHAM COUNTY, NC / MECKLENBURG COUNTY, NC / SPRING LAKE, NC / WAKE COUNTY, NC
- **NORTH DAKOTA:** NONE
- **OHIO:** STATE LAWS [ADMINISTRATIVE POLICY HR-29](#) & [HOUSE BILL 56 \(2015\)](#) APPLY TO PUBLIC EMPLOYMENT
 - ALLIANCE, OH / AKRON, OH / CANTON, OH / CINCINNATI, OH / CLEVELAND, OH / CUYAHOGA COUNTY, OH / DAYTON, OH / FRANKLIN COUNTY, OH / HAMILTON COUNTY, OH / LUCAS COUNTY, OH / MASSILLON, OH / NEWARK, OH / STARK COUNTY, OH / SUMMIT COUNTY, OH / WARREN, OH / YOUNGSTOWN, OH
- **OKLAHOMA:** STATE POLICY [EXECUTIVE ORDER 2016-03 \(2016\)](#) APPLIES TO STATE EMPLOYMENT
- **OREGON:** STATE LAW [HOUSE BILL 3025 \(2015\)](#) APPLIES TO PUBLIC AND PRIVATE EMPLOYMENT
 - MULTNOMAH COUNTY, OR / PORTLAND, OR
- **PENNSYLVANIA:** STATE POLICY [FAIR CHANCE HUMAN RESOURCES POLICY \(2017\)](#) APPLIES TO STATE EMPLOYMENT
 - ALLEGHENY COUNTY, PA / ALLENTOWN, PA / BETHLEHEM, PA / LANCASTER, PA / PHILADELPHIA, PA / PITTSBURGH, PA / READING, PA
- **RHODE ISLAND:** STATE LAW [HOUSE BILL 5507 \(2013\)](#) APPLIES TO PUBLIC AND PRIVATE EMPLOYMENT
 - PROVIDENCE, RI
- **SOUTH CAROLINA:**
 - YORK COUNTY, SC
- **SOUTH DAKOTA:** NONE
- **TENNESSEE:** STATE LAW [SENATE BILL 2440 \(2016\)](#) APPLIES TO STATE EMPLOYMENT
 - CHATTANOOGA, TN / HAMILTON COUNTY, TN / MEMPHIS, TN / NASHVILLE, TN
- **TEXAS:**
 - AUSTIN, TX / DALLAS COUNTY, TX / SAN ANTONIO, TX / TRAVIS COUNTY, TX
- **UTAH:** STATE LAW [HOUSE BILL 156 \(2017\)](#) APPLIES TO PUBLIC EMPLOYMENT
- **VERMONT:** STATE LAW [HOUSE BILL 261 \(2016\)](#) APPLIES TO PRIVATE AND PUBLIC EMPLOYMENT
- **VIRGINIA:** STATE POLICY [EXECUTIVE ORDER 41 \(2015\)](#) APPLIES TO STATE EMPLOYMENT
 - ALEXANDRIA, VA / ARLINGTON COUNTY, VA / BLACKSBURG, VA / CHARLOTTESVILLE, VA / DANVILLE, VA / FAIRFAX COUNTY, VA / FREDERICKSBURG, VA / HARRISONBURG, VA / HENRY COUNTY, VA / MONTGOMERY COUNTY, VA / NEWPORT NEWS, VA / NORFOLK,



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VA / PETERSBURG, VA / PORTSMOUTH, VA / PRINCE WILLIAM COUNTY, VA /
RICHMOND, VA / ROANOKE, VA / STAUNTON, VA / VIRGINIA BEACH, VA

- **WASHINGTON:**
 - PIERCE COUNTY, WA / SEATTLE, WA / SPOKANE, WA / SPOKANE COUNTY, WA
- **WEST VIRGINIA:** NONE
- **WISCONSIN:** STATE LAW [ASSEMBLY BILL 373 \(2016\)](#) APPLIES TO STATE EMPLOYMENT
 - DANE COUNTY, WI / MADISON, WI / MILWAUKEE, WI / MILWAUKEE COUNTY, WI
- **WYOMING:** NONE

Focus on California Ban the Box Law (ESR is Headquartered in CA)

California Assembly Bill 1008 (AB 1008)

On October 14, 2017, California Governor Jerry Brown signed into law new “Ban the Box” legislation – Assembly Bill 1008 (AB 1008) – to prohibit private employers in the state with five or more employees from inquiring about or considering a job applicant’s conviction history prior to a conditional offer of employment, and sets requirements for consideration of conviction histories in employment decisions. The law took effect January 1, 2018.

- [ESR California Ban the Box Law Infographic](#)
- [California Assembly Bill 1008 \(AB 1008\)](#)
- [California Fair Employment and Housing Act \(FEHA\)](#)

Focus on Selected Cities with Ban the Box Laws

San Francisco Fair Chance Ordinance

Effective August 13, 2014, the San Francisco Fair Chance Ordinance (FCO) requires employers with San Francisco City or County offices and worksites who have 20 or more employees to follow strict rules regarding the use of arrest and conviction records in hiring and employment decisions.

- [ESR San Francisco Ban the Box Ordinance Infographic](#)
- [Complete Text of San Francisco Fair Chance Ordinance](#)
- [Amendment to Fair Chance Ordinance passed on December 9, 2014](#)
- [Legislative Digest Summary of Amendment](#)
- [San Francisco Fair Chance Ordinance Frequently Asked Questions](#)

New York City Fair Chance Act

Effective October 27, 2015, the Fair Chance Act (FCA) amends the New York City Human Rights Law (NYCHRL) to prohibit most employers in the city from inquiring about criminal history of job applicants until after a conditional offer of employment is extended.

- [Full text of the Fair Chance Act \(FCA\) Int. No. 318-A from The New York City Council Website](#)
- [Final Rules and Regulations for New York City Fair Chance Act \(FCA\) Taking Effect August 5, 2017](#)
- [Fair Chance Act Notice to be Filled Out if Job Applicant has Criminal Record](#)
- [NEW YORK CORRECTION LAW ARTICLE 23-A](#)

Philadelphia Fair Criminal Screening Standards Ordinance

On December 15, 2015, Philadelphia Mayor Michael A. Nutter signed Ban the Box legislation to help strengthen anti-discrimination protections for ex-offenders seeking employment in Philadelphia.

- [Update to Fair Criminal Screening Standards Ordinance](#)
- [Executive Order No. 05-15 - Background Checks for City Employment](#)

Los Angeles “Fair Chance Initiative”

On December 9, 2016, Los Angeles Mayor Eric Garcetti signed into law the “Fair Chance Initiative,” an ordinance that restricts employers from asking job applicants about criminal convictions until after a conditional offer of employment has been made. The law took effect January 22, 2017.

- [ESR Los Angeles Ban the Box Ordinance Infographic](#)
- [Mayor Garcetti Signs Historic Fair Chance Initiative into Law](#)
- [Los Angeles Fair Chance Initiative for Hiring Ordinance \(FCHIO\)](#)
- [Los Angeles FCHIO Information Page](#)
- [Los Angeles FCHIO Individualized Assessment and Reassessment Form](#)
- [Rules and Regulations Implementing the Fair Chance Initiative for Hiring \(Ban the Box\) Ordinance](#)

ESR News Blogs about Ban the Box

Read more ESR News blogs about Ban the Box at www.esrcheck.com/wordpress/tag/ban-the-box/.

More Information about Ban the Box

To learn more about Ban the Box, please contact Employment Screening Resources® (ESR) by calling Toll Free 888.999.4474 or visiting www.esrcheck.com.

About Employment Screening Resources® (ESR)

Founded in 1997, [Employment Screening Resources® \(ESR\)](#) is a global background check firm located in the San Francisco, California area. ESR is accredited by the National Association of Professional Background Screeners (NAPBS®) and undergoes yearly SOC 2® audits to protect the privacy, security, and confidentiality of consumer information used for background checks. ESR founder and CEO Attorney Lester Rosen is the author of “The Safe Hiring Manual,” the first comprehensive guide to employment screening. For more information about ESR, please visit www.esrcheck.com.